

NORTH MARKET STREET SITE

DE MINIMIS CONSENT DECREE

CHEVRON PIPELINE COMPANY



The Washington State Department of Ecology (Ecology) is proposing to enter into a settlement with the Chevron Pipeline Company for the North Market Street Superfund Site (Site) located approximately one-mile north of the City of Spokane corporate limits in the Hillyard area of Spokane County, Washington. A De Minimis Consent Decree will be used to implement the settlement and is being issued under the authority of the Model Toxics Control Act (MTCA), Chapter 70.105D RCW.

A De Minimis Consent Decree is a legal document which formalizes an agreement between Ecology and the potentially liable persons (PLPs) for the Site and is entered and approved by a court. The potentially liable person(s) (PLPs) for the North Market Street Site include the Chevron Pipeline Company (Chevron), the Phillips Petroleum Company (Phillips) and Tosco Refining Company (Tosco).

The use of a de minimis settlement means that the waste volume and toxicity released on the Chevron property appears to be insignificant compared to the contamination on the remainder of the Site. The settlement will require Chevron to make a monetary payment to Ecology for use in Site cleanup. By entering the De Minimis Consent Decree in Washington State

Superior Court and making payment, Chevron will no longer be considered a PLP for the Site. In the event unforeseen conditions are encountered during cleanup, Chevron may be required to participate further in Site cleanup.

The Site is defined as the area where contaminated soil exists and the groundwater plume extends. This definition encompasses the fuel terminal currently operated by Tosco and the groundwater plume where contaminants above laboratory limits have been detected. Petroleum hydrocarbons and associated chemicals are the contaminants of concern.

Ecology evaluated the Site information collected during the two Remedial Investigation (RI) phases, supplemental RI work, and the Feasibility Study (FS). A Cleanup Action Plan (CAP) was finalized in January 2000. The CAP sets cleanup levels for each contaminant in soil and groundwater and selects the actions to achieve the cleanup levels. The cleanup selected for shallow soil was excavation and thermal treatment of excavated soil. Bioventing was chosen to address deep soil contamination by enhancing biodegradation in the subsurface. A line of air sparging wells and natural attenuation was identified as the cleanup action for groundwater.

FACT SHEET: OCTOBER 2000

REPOSITORIES:

**Department of Ecology
Eastern Regional Office
4601 N. Monroe
Spokane, WA 99205-1295**

**Spokane Public Library
Hillyard Branch
4005 N. Cook Street
Spokane, WA 99207-5879**

Questions and submission of written comments contact:

**Mr. William J. Fees, P.E.
Department of Ecology
Toxics Cleanup Program
4601 N. Monroe, Suite 202
Spokane, WA 99205-1295
E-mail wfee461@ecy.wa.gov
(509) 625-5190 or
1-800-826-7716**

Mailing List Contact:

**Carol Bergin at Ecology toll
free at 1-800-826-7716 or in
Spokane at (509) 456-6360
E-mail cাবে461@ecy.wa.gov**

PUBLIC COMMENT

**PERIOD: October 11, 2000
through November 10, 2000.**

PUBLIC HEARING:

**Tuesday, October 24, 2000
Department of Ecology
4601 N. Monroe
Spokane, WA 99205
7-9 p.m.**

Ecology invites the public to review and comment on the De Minimis Consent Decree. **Public comments will be accepted October 11, 2000 through November 10, 2000.** The shaded box on page one indicates where documents may be reviewed and comments submitted. **A combined Public Hearing will be held to receive public comment on the following:**

- ◆ **De Minimis Consent Decree for Chevron; and**
- ◆ **Consent Decree for Phillips and Tosco (see fact sheet publication number 00-090-060 for details)**

**The hearing will be held at the Department of Ecology
4601 North Monroe
Spokane, Washington.
October 24, 2000 7-9 p.m.**

SITE BACKGROUND

The Site is bounded by Lincoln Road on the South and Freya Street to the east. A private roadway on the Kaiser south property borders the Site to the north. The western boundary roughly parallels North Market St. (Figure 1). The Site is located approximately one-mile north of the City of Spokane corporate limits.

Several of the properties which comprise the North Market Street Site were developed as industrial or commercial facilities that were involved in or related to the refinement, recycling, and sale of petroleum products. In the late 1930s, properties including the current Tosco Spokane Terminal tank farm and distribution center were developed as part of an oil refinery complex. Waste management practices common during that era resulted in releases

of liquid refinery-related petroleum wastes into the environment. Refinery operations were discontinued in 1953. The facility continued operations as a petroleum tank farm after refinery decommissioning. Today the Tosco Spokane Terminal continues to operate as a petroleum fuels storage and distribution center with an estimated cumulative capacity of approximately 391,500 barrels or 16,443,000 gallons of primarily automotive fuels. Since 1976 at least two major product spills have occurred at the Tosco Terminal Facility. The Facility and properties that comprise the Site are primarily zoned for commercial and industrial purposes.

As early as 1978 local land owners and businesses located north of the present day Tosco tank terminal reported the presence of petroleum-laden soils on lands immediately north of the decommissioned oil refinery complex. In 1984 state officials confirmed the presence of petroleum contamination to groundwater from samples collected at three private water supply wells in the area. Use of those wells was discontinued and Ecology began supplying bottled water to users at that time. In 1991 the North Spokane Irrigation District No. 8 completed a 16-inch water line loop as far north as Magnesium Road to provide a potable water supply to users previously requiring bottled water.

In 1990 the US Environmental Protection Agency (EPA) listed the North Market Street Site on the federal Superfund National Priorities List (NPL) of hazardous waste sites requiring cleanup. After the Site was listed, Ecology took the lead to direct cleanup under the

authority of the Model Toxics Control Act (MTCA) (Chapter 70.105D RCW).

PHASE I REMEDIAL INVESTIGATION (RI) FINDINGS

The Phase I RI was completed in 1993. The investigative work resulted in: the installation of ten groundwater monitoring wells; an assessment of groundwater and soil quality; an evaluation of hydrogeologic conditions; a preliminary evaluation of soil conditions above the water table; and, an increased understanding of the extent and sources of groundwater contamination.

Results from the Phase I RI indicated that petroleum hydrocarbon contaminants were present in the Spokane Aquifer beneath the Site above the Washington State cleanup level of 1 part per million (ppm). Soil contamination in the surface and near-surface was delineated and characterized at the Site.

PHASE II REMEDIAL INVESTIGATION FINDINGS

Agreed Order amendments signed by Chevron, Phillips, and Tosco provided for performance and completion of the North Market Street Site Phase II RI and Feasibility Study (FS). The Phase II RI fieldwork has been completed. The Phase II program was developed to further characterize and define the soil and groundwater information. The Phase II program was conducted in 1995 and was comprised of: installation and sampling of nine additional monitoring wells and two borings to bedrock; installation and sampling

of thirteen vapor probes; excavation and soil sampling of 89 test pits; and treatability testing of select soil samples.

The Phase II RI showed that petroleum hydrocarbon contamination is present at the Site in near-surface soil (less than 15 feet); in deep soil to depths of 60 feet; and in soil at the water table (smear zone) about 150 to 170 feet below ground surface. Petroleum hydrocarbon concentrations are also present in soil vapor at depths of 50, 100 feet and below, and continue to be present in groundwater. Petroleum chemicals in groundwater are detectable extending for about one-mile within the Spokane Regional Aquifer. The ground water flow direction beneath the Site is north-northwest.

The Phase I and II work is documented in a report entitled Final-Draft Phase II Remedial Investigation Report – North Market Street Site Spokane, Washington. June 1996. The Phase II RI Report presents a summary of previous investigations conducted at the Site and the findings of the Phase II RI program.

SUPPLEMENTAL REMEDIAL INVESTIGATION FINDINGS

Additional RI work has been conducted at the Site since completion of the Phase II RI. The work began in July 1996 and consisted of installing five monitoring wells along with collecting two quarterly rounds of groundwater and soil vapor samples for analyses. Quarterly groundwater and vapor monitoring began again in May 1998 and has continued to exist. Groundwater contamination continues to exist at the facility and

beyond facility boundaries. Trace amounts of free product have been observed during the quarterly monitoring.

In July 1998, four soil borings were drilled to the smear zone and the soil samples were collected for treatability testing. The sample testing indicated that microbes capable of biodegrading the petroleum hydrocarbon contamination are present and a large reduction in contaminant mass is achievable.

After the thirty-day public comment period, Ecology finalized the Cleanup Action Plan (CAP) for the Site in January 2000. Ecology is concurrently proposing to enter a Consent Decree settlement with Tosco and Phillips, the remaining PLPs, to implement the Cleanup Action Plan.

ECOLOGY WANTS YOUR COMMENTS

The public comment period represents an opportunity to have your ideas and comments heard by Ecology. **You may review and comment on the De Minimis Consent Decree October 11, 2000 through November 10, 2000.**

- ◆ Copies of the De Minimis Consent Decree are available for public review at the repositories listed in the shaded box on page one of this fact sheet.

To review more detailed Site documents than those in the information repositories, contact Johnnie Harris of Ecology at (509) 456-2751 to schedule an appointment.

- ◆ Files may be reviewed at Ecology's Spokane office Monday through Thursday, 8-5 p.m. by appointment only.
- ◆ **Please submit written comments by November 10, 2000** to Mr. William J. Fees, P.E., Site Manager, at the Ecology address listed in the shaded box on page one.